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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

FIVE STAR VIDEO, L.C.,
FIVE STAR VIDEO OUTLET, L.C.,
CHRISTOPHER WARREN ANKENY,
KENNETH JAMES GRAHAM,
JEFF MIKE PRODUCTIONS, INC., and
MIKE LEONARD NORTON

Defendants.

INDICTMENT

VIO: 18 U.S.C. §1465
(Transportation of Obscene Matter)
Counts 1 - 4

18 U.S.C. §1461
(Mailing Obscene Matter)
Count 5

18 U.S.C. §1462
(Transportation of Obscene Material Using
a Common Carrier)
Counts 6 - 14

18 U.S.C. §1466
(Engaging in a Business of
Selling or Transferring Obscene Material)
Counts 15 - 17

18 U.S.C. §1467
(Forfeiture Allegation)
Count 18

THE GRAND JURY CHARGES:

COUNTS 1-4

On or about February 6, 2006 through February 9, 2006 in the District of Arizona, and
elsewhere the defendants, FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET,
L.C., CHRISTOPHER WARREN ANKENY, and KENNETH JAMES GRAHAM,

1 knowingly used an interactive computer service and other facilities and means of interstate
2 and foreign commerce, to sell and distribute to a location in Northern Virginia, obscene
3 DVDs, identified as:

	<u>Title</u>	<u>Date</u>
4		
5	Count 1: Gag Factor 18	February 6, 2006
6	Count 2: Filthy Things 6	February 6, 2006
7	Count 3: Gag Factor 15	February 9, 2006
8	Count 4: American Bukkake 13	February 9, 2006

9 In violation of Title 18, United States Code, Sections 1465 and (2)(a).

10 **COUNT 5**

11 On or about February 10, 2006, in the District of Arizona, and elsewhere, the
12 defendants, FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET, L.C.,
13 knowingly used the United States mails to mail and deliver to a location in Northern
14 Virginia, a DVD containing obscene matter, identified as Gag Factor 15.

15 In violation of Title 18, United States Code, Sections 1461 and (2)(a).

16
17 **COUNTS 6 -7**

18 On or about February 6, 2006 in the District of Arizona, and elsewhere the defendants,
19 FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET, L.C., CHRISTOPHER
20 WARREN ANKENY, and KENNETH JAMES GRAHAM, knowingly used an express
21 company or other common carrier for carriage in interstate commerce and delivery to a
22 location outside the State of Arizona, of a package which contained DVDs that are obscene,
23 identified as:

24	Count 6: Filthy Things 6
25	Count 7: Gag Factor 18

26 In violation of Title 18, United States Code, Sections 1462 and (2)(a).

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1 **COUNT 8**

2 On or about February 9, 2006 in the District of Arizona, and elsewhere the defendants,
3 FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET, L.C., CHRISTOPHER
4 WARREN ANKENY, and KENNETH JAMES GRAHAM, knowingly used an express
5 company or other common carrier for carriage in interstate commerce and delivery to a
6 location outside the State of Arizona, of a package which contained a DVD that is obscene,
7 identified as American Bukkake 13.

8 In violation of Title 18, United States Code, Sections 1462 and (2)(a).

9 **COUNT 9**

10 On or about January 25, 2006 in the District of Arizona, and elsewhere the
11 defendants, JEFF MIKE PRODUCTIONS, INC. and MIKE LEONARD NORTON,
12 knowingly used an express company or other common carrier for carriage in interstate
13 commerce from a location outside the State of Arizona to a location within the State of
14 Arizona, a package which contained a DVD that is obscene, identified as American Bukkake
15 13.

16 In violation of Title 18, United States Code, Sections 1462 and (2)(a).

17 **COUNTS 10-12**

18 _____ On or about November 8, 2005 in the District of Arizona, and elsewhere the
19 defendants, JEFF MIKE PRODUCTIONS, INC. and MIKE LEONARD NORTON,
20 knowingly used an express company or other common carrier for carriage in interstate
21 commerce from a location outside the State of Arizona to a location within the State of
22 Arizona, a package which contained DVDs that are obscene, identified as:

23 Count 10: Filthy Things 6

24 Count 11: Gag Factor 15

25 Count 12: Gag Factor 18

26 In violation of Title 18, United States Code, Sections 1462 and (2)(a).

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COUNTS 13-14

_____ On or about February 28, 2006 in the District of Arizona, and elsewhere the defendants, JEFF MIKE PRODUCTIONS, INC. and MIKE LEONARD NORTON, knowingly used an express company or other common carrier for carriage in interstate commerce from a location outside the State of Arizona to a location within the State of Arizona, a package which contained DVDs that are obscene, identified as:

Count 13: Gag Factor 15

Count 14: American Bukkake 13

In violation of Title 18, United States Code, Sections 1462 and (2)(a).

COUNTS 15-17

_____ On or about January 1, 2006, and prior, to April 11, 2006, in the District of Arizona, and elsewhere the defendants, FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET, L.C., CHRISTOPHER WARREN ANKENY and KENNETH JAMES GRAHAM, JEFF MIKE PRODUCTIONS, INC., and MIKE LEONARD NORTON, aided and abetted by each other, while engaged in the business of selling and transferring obscene matter, did knowingly receive and possess with the intent to distribute an obscene matter, that is, three DVDs which are obscene, identified as:

Count 15: Gag Factor 15

Count 16: American Bukkake 13

Count 17: Filthy Things 6

which had been shipped and transported in interstate commerce, all in violation of Title 18, United States Code, Sections 1466 and (2)(a).

FORFEITURE ALLEGATION
COUNT 18

1. The allegations of Counts One to Seventeen of this indictment are re-alleged and incorporated by reference as if fully restated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 1467.

2. As a result of the violations of Title 18, United States Code, Section 1461, 1462, 1465 or 1466, FIVE STAR VIDEO, L.C., and/or FIVE STAR VIDEO OUTLET, L.C. and JEFF MIKE PRODUCTIONS, INC., shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1467, all obscene material produced, transported, mailed, shipped and received, and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense(s), and all property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s).

3. The interests of the defendant subject to forfeiture pursuant to Title 18, United States Code, Section 1467 are including but not limited to the following items:

(a) All copies of Filthy Things 6, Gag Factor 15, Gag Factor 18 and American Bukkake 13.

(b) Gross Profits from the sale of obscene material, to wit: Filthy Things 6, Gag Factor 15, Gag Factor 18 and American Bukkake 13.

(c) Ownership and rights to the domain name and website www.fivestardvd.com.

4. To the extent that the property described above as being subject to forfeiture pursuant to Title 18, United States Code, Section 1467, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be subdivided

1 without difficulty, the United States shall be entitled to forfeiture of
2 substitute property under the provisions of Title 18, United States Code,
3 Section 1467(n).
4 the court shall order the forfeiture of any other property of the Defendants up to the value of
5 any property described in paragraphs (1) through (3).
6 5. The above-named Defendants, and each of them, are jointly and severally liable
7 for the forfeiture obligations as alleged above.

8
9
10 A TRUE BILL

11 FOREPERSON OF THE GRAND JURY
12 Date: May 23, 2006

13 PAUL K. CHARLTON
14 United States Attorney
15 District of Arizona

16 BRENT D. WARD
17 Director, Obscenity Prosecution Task Force

18 SHEILA PHILLIPS
19 Trial Attorney